

1 **ANDREW A. BAO, ESQ.**
2 **Nevada Bar No. 10508**
3 **WOLFE & WYMAN LLP**
4 **6757 Spencer Street**
5 **Las Vegas, NV 89119**
6 **Telephone: (702) 476-0100**
7 **Facsimile: (702) 476-0101**
8 **aabao@wolfewyman.com**

9 **Attorneys for Defendant**
10 **CMG MORTGAGE, INC. D/B/A CMG FINANCIAL**

11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 JEFFREY K. ENGLER and KATHERINE M.
14 SENNES-ENGLER,

15 Plaintiffs,

16 v.

17 CMG MORTGAGE, INC. D/B/A CMG
18 FINANCIAL,

19 Defendant.

Case No. 2:19-cv-00869-GMN-BNW

**[PROPOSED] STIPULATION AND
ORDER TO EXTEND DISCOVERY**

[FIRST REQUEST]

20 Pursuant to Fed. R. Civ. P. 26(f), and Local Rule 26-1, Plaintiffs Jeffrey K. Engler and
21 Katherine M. Sennes-Engler ("Plaintiffs") and CMG Mortgage Inc. d/b/a CMG Financial
22 ("CMG") (collectively the "Parties"), by and through their attorneys, hereby stipulate to extend
23 discovery deadlines and other deadlines in the September 9, 2019 Scheduling Order as follows:

24 **1. Completed Discovery.**

25 The parties have exchanged initial and supplemental disclosures. Plaintiffs propounded
26 written Interrogatories, Request for Admissions and Request for Documents ("Plaintiffs' Written
27 Discovery Requests") to Defendant. Defendant has responded to Plaintiffs' Written Discovery



Requests and produced documents. CMG's 30(b)(6) deposition has been noticed and the parties intend to proceed with deposition if this action is not settled.

2. **Remaining Discovery.**

Written discovery responses and at least one deposition.

3. **Good Cause.**

The parties have been diligently litigating this case and are requesting this extension for good cause because CMG's 30(b)(6) deposition is currently set for November 18, 2019. Defense counsel has requested this extension from Plaintiff's counsel due to a family death, causing defense counsel to be unavailable from November 15th-November 22nd. Furthermore, Plaintiff has proposed a settlement that involves CMG being required to, amongst other matters, modify pending mortgage obligations. CMG is in the process of considering the parameters of such a resolution.

This stipulation is made in good faith, is not interposed for delay, and is not filed for an improper purpose. This is also the parties' first request for an extension.

4. **Current Discovery Deadlines.**

- Discovery Cutoff: **January 22, 2020**
- Amending Pleadings/Adding Parties: **October 24, 2019**
- Initial Expert Disclosures and Interim Status Report: **November 25, 2019**
- Rebuttal Expert Disclosures: **December 23, 2019**
- Dispositive Motion deadline: **February 21, 2020**
- Joint Proposed Pretrial Order: **March 23, 2020**

5. **Proposed Discovery Deadlines.**

- Discovery Cutoff: **March 23, 2020**
- Amending Pleadings/Adding Parties: **December 24, 2019**
- Initial Expert Disclosures and Interim Status Report: **January 24, 2020**
- Rebuttal Expert Disclosures: **February 21, 2020**

- Dispositive Motion deadline: **April 21, 2020**
- Joint Proposed Pretrial Order: **May 21, 2020**

WHEREAS, no prejudice will occur to this Court or the Parties if granted, good cause supports this request to extend discovery;

NOW, THEREFORE, in consideration of the foregoing, and for good cause, IT IS HEREBY STIPULATED AND AGREED, by and between the Parties as follows:

The September 9, 2019 Scheduling Order shall be amended as follows:

- Discovery Cutoff: **March 23, 2020**
- Amending Pleadings/Adding Parties: **December 24, 2019**
- Initial Expert Disclosures and Interim Status Report: **January 24, 2020**
- Rebuttal Expert Disclosures: **February 21, 2020**
- Dispositive Motion deadline: **April 21, 2020**
- Joint Proposed Pretrial Order: **May 21, 2020**

IT IS SO STIPULATED.

DATED: November 15, 2019

DATED: November ____, 2019

WOLFE & WYMAN LLP

HAINES & KRIEGER, LLC

By: /s/ Andrew A. Bao
ANDREW A. BAO, ESQ.
Nevada Bar No.: 10508
6757 Spencer Street
Las Vegas, NV 89119
Attorneys for Defendant
CMG MORTGAGE, INC. D/B/A CMG
FINANCIAL

By: /s/ Shawn W. Miller
SHAWN W. MILLER, ESQ.
Nevada Bar No.: 7825
8985 S. Eastern Ave., Suite 350
Henderson, NV 89123
Attorney for Plaintiffs
JEFFREY K. ENGLER AND KATHERINE M.
SENNES-ENGLER



1 **ORDER GRANTING**

2 **STIPULATION TO EXTEND DISCOVERY**

3 In consideration of the parties' stipulation and good cause showing, **IT IS ORDERED**
4 **THAT** the September 9, 2019 Scheduling Order shall be amended as follows:

- 5 • Discovery Cutoff: **March 23, 2020**
- 6 • Amending Pleadings/Adding Parties: **December 24, 2019**
- 7 • Initial Expert Disclosures and Interim Status Report: **January 24, 2020**
- 8 • Rebuttal Expert Disclosures: **February 21, 2020**
- 9 • Dispositive Motion deadline: **April 21, 2020**
- 10 • Joint Proposed Pretrial Order: **May 21, 2020**

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12 **IT IS SO ORDERED.**

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14 _____
UNITED STATES MAGISTRATE JUDGE

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16 Dated: 11/18/2019

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2 **CERTIFICATE OF MAILING**

3 On November 15, 2019, I served the foregoing **[PROPOSED] STIPULATION AND**
4 **ORDER TO EXTEND DISCOVERY [FIRST REQUEST]**, by the following means to the
5 persons as listed below:

6 ☒ a. EFC System (you must attach the "Notice of Electronic Filing," or list all
7 persons and addresses and attach additional paper if necessary):

8 DAVID H. KRIEGER, ESQ. dkrieger@hainesandkrieger.com
9 SHAWN W. MILLER, ESQ. smiller@hainesandkrieger.com
10 Attorneys for Plaintiffs

11 ☐ b. United States Mail, postage fully pre-paid (List persons and addresses.
12 Attach additional paper if necessary):

13 DAVID H. KRIEGER, ESQ.
14 SHAWN W. MILLER, ESQ.
15 Haines and Krieger, LLC
16 8985 S. Eastern Avenue, Suite 350
Henderson, NV 89123
Attorneys for Plaintiffs

17 /s/ Jamie Soquena
18 Jamie Soquena
19 An employee of Wolfe & Wyman LLP
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